

2935-366

9/8/2009

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**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
Office of Pesticide Programs  
Registration Division (7505P)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:  
  
2935-366

Date of Issuance:  
  
SEP 8 2009

Terms of Issuance:  
Unconditional

Name of Pesticide Product:  
  
Sevin 5 Bait

NOTICE OF PESTICIDE:  
     Registration  
XX Reregistration  
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):  
Wilbur-Ellis Company  
Attn: Andy Chang  
P.O. Box 1286  
Fresno, CA 93715

**Note:** Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Documents, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product. Within 45 days from the date of this notice, two copies of a final printed label must be submitted.

Your Confidential Statement of Formula (CSF) dated August 25, 2009 is acceptable. This CSF supercedes all previous CSFs. You may distribute products bearing the old label for 12 months from receipt of this letter or your next printing of the label, whichever comes first.

A copy of the stamped label is enclosed for your records.

Signature of Approving Official:

Meredith Laws, Branch Chief  
Registration Division, Insecticide-Rodenticide Branch

Date:

SEP 8 2009

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# SEVIN® 5 BAIT

N-METHYL CARBAMATE

<b>ACTIVE INGREDIENT:</b>	By Wt.
Carbaryl (1-naphthyl N-methylcarbamate).....	5%
<b>OTHER INGREDIENTS.....</b>	95%
	100%

EPA Reg. No. 2935-366

EPA Est. No. 2935-CA-1

**ACCEPTED**

SEP 8 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg. No. 2935-366

## KEEP OUT OF REACH OF CHILDREN CAUTION

<b>FIRST AID</b>	
Have product container or label with you when calling a poison control center or doctor, or going for treatment. Poison Control Center: 1-800-222-1222	
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>•Call a poison control center or doctor immediately for treatment advice.</li> <li>•Have person sip a glass of water if able to swallow.</li> <li>•Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>•Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>•Take off contaminated clothing.</li> <li>•Rinse skin immediately with plenty of water for 15-20 minutes</li> <li>•Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>•Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>•Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>•Call a poison control center or doctor for treatment advice.</li> </ul>
<p><b>Note To Physician:</b> Carbaryl is an N-methyl carbamate insecticide which is a cholinesterase inhibitor. Specific antidote consists of atropine. Narcotics and other sedatives should not be used. Drugs like 2-PAM (pyridine-2-aldoxime methiodide) are NOT recommended.</p>	

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS and DOMESTIC ANIMALS

**Caution:** Harmful if swallowed. Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

## PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are natural rubber, polyethylene or neoprene. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Chemical-resistant gloves, and
- Shoes plus socks.

In addition, handlers loading bait formulations into airplanes under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and allied state programs must wear a NIOSH-approved dust/mist filtering respirator with NIOSH/MSHA approved number prefix TC-21C or a NIOSH-approved respirator with any N, R, P or HE filter.

**Aerial application is prohibited, except for aerial applications under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and/or allied state programs.**

**See engineering controls for additional requirements and exceptions.**

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exists, use detergent and hot water. Keep and wash PPE separately from other laundry.

## ENGINEERING CONTROLS

Pilots applying applications under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program or related state programs must use an enclosed cockpit in a manner that is consistent with the WPS for Agricultural Pesticides [40 CFR 170.240(d)(6)]. In addition, the cockpit air intake must be located above the bait release point and the bait bin must be completely separate from the cockpit.

NET CONTENTS: 50 LBS.

Flaggers supporting aerial applications permitted above must use an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, flaggers must:

- wear long-sleeve shirt, long pants, shoes, and socks,
- either wear a NIOSH-approved dust/mist filtering respirator with NIOSH/MSHA approval number prefix TC-21C or a NIOSH-approved respirator with an N, R, P, or HE filter **OR** use an enclosed cab that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as this type of respirator,
- be provided and have immediately available for use in an emergency when they must exit the cab in the treated area: chemical-resistant gloves and chemical-resistant headgear and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified above,
- take off any PPE that was worn in the treated area before reentering the cab, and
- store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

When applicators use enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(5)), the handler PPE requirements may be reduced or modified as specified in the WPS.

### USER SAFETY RECOMMENDATIONS

Users should: A) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. B) Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. C) Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### ENVIRONMENTAL HAZARDS

This product is extremely toxic to aquatic invertebrates. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from area treated. Drift and run-off may kill aquatic invertebrates in water adjacent to treated areas. Do not contaminate water by cleaning equipment or disposal of wastes. Do not contaminate water when disposing of equipment washwaters.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions, and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the "Restricted-entry interval (REI)". The REI for carbaryl is 12 hours unless otherwise specified in the directions for use associated with each crop.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, are:

- Coveralls over short-sleeve shirt and short-pants
- Chemical-resistant footwear plus socks
- Chemical-resistant gloves made of any waterproof material
- Chemical-resistant headgear if overhead exposure

When the Restricted-Entry Interval for a crop is 7 days or longer, you must notify workers of the application by warning them orally and by posting warning signs at entrances to treated area.

For the control of cutworms, armyworms, field crickets, house crickets, mole crickets, darkling beetles, grasshoppers, sowbugs and ants (except fire ants, harvester ants, pharaoh ants and carpenter ants).

### IMPORTANT PRE-HARVEST AND GRAZING USE INFORMATION

Tolerances established under the Federal Food, Drug and Cosmetic Act permit the sale of crops bearing probable Carbaryl residues when Carbaryl is used in accordance with label directions.

If Carbaryl insecticide is used in accordance with label directions, carrot tops, sugar beet tops and corn forage may be grazed or harvested for use as feed for dairy and meat animals without resulting in illegal residues in milk or meat.

### APPLICATION METHOD

This product may be applied only by ground using a mechanical spreader or underground shank applicator. Do not apply by hand, spoon or belly grinder. **EXCEPTION:** Aerial applications only to rangeland are allowed only under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and/or allied state programs.

Commodity	Use Rate
Asparagus	<p><u>Application to Spears:</u> Apply 20 lbs. per acre per application with a maximum yearly application of 60 lbs per acre.</p> <p><u>Applications to Ferns (after harvest of spears):</u> Apply 40 lbs per acre per application with a maximum yearly application of 80 lbs per acre.</p> <p>•<b>IMPORTANT:</b> Total combined maximum yearly application for spears and ferns is 100 lbs per acre.</p> <p>•Retreatment interval = 3 days</p> <p>•Do not apply within 1 day of harvest.</p> <p>•Do not make more than 3 applications to spears. Do not make more than 2 applications to ferns.</p>
Garden Beets (roots), Carrots, Horseradish, Radish, Parsnip, Rutabaga, Salsify, Turnips (roots)	<p>Apply 40 lbs. per acre per application with a maximum yearly application of 120 lbs per acre.</p> <p>•Retreatment interval = 7 days.</p> <p>•Do not apply within 7 days of harvest.</p> <p>•Do not make more than 3 applications per year.</p>
Garden Beets (tops), Turnips (tops)	<p>Apply 40 lbs per acre per application with a maximum yearly application of 120 lbs per acre.</p> <p>•Retreatment interval = 7 days.</p> <p>•Do not apply within 14 days of harvest.</p> <p>•Do not make more than 3 applications per year.</p>
Chinese Cabbage, Collards, Kale, Mustard Greens	<p>Apply 40 lbs per acre per application with a maximum yearly application of 120 lbs per acre.</p> <p>•Make applications only within 30 days of crop emergence or transplanting.</p> <p>•Retreatment interval = 7 days.</p> <p>•Do not apply within 14 days of harvest.</p> <p>•Do not make more than 3 applications per year.</p>

Commodity	Use Rate
Broccoli, Brussel Sprouts, Cabbage, Cauliflower, Kohlrabi	<p>Apply 40 lbs per acre per application with a maximum yearly application of 120 lbs per acre.</p> <p>•Make applications only within 30 days of crop emergence or transplanting.</p> <p>•Retreatment interval = 7 days.</p> <p>•Do not apply within 3 days of harvest</p> <p>•Do not make more than 3 applications per year.</p>
Corn (field & pop)	<p>Apply 40 lbs per acre per application with a maximum yearly application of 160 lbs per acre.</p> <p>•Retreatment interval = 14 days.</p> <p>•Do not apply within 14 days of harvest (forage, silage).</p> <p>•Do not apply within 48 days of harvest (grain, fodder).</p> <p>•Do not make more than 4 applications per year.</p> <p>•Restricted-entry interval (REI) = 24 hours.</p> <p>•EXCEPTION: the REI is 21 days for workers detassling corn. Hand harvesting is prohibited.</p>
Corn (sweet)	<p>Apply 40 lbs per acre per application with a maximum yearly application of 320 lbs per acre.</p> <p>•Retreatment = 3 days.</p> <p>•Do not apply within 2 days of harvest (ears).</p> <p>•Do not apply within 14 days of harvest (forage).</p> <p>•Do not apply within 48 days of harvest (fodder).</p> <p>•Do not make more than 8 applications per year.</p> <p>•Restricted-entry interval (REI) = 24 hours.</p> <p>•EXCEPTION: the REI is 21 days for workers detassling corn. Hand harvesting is prohibited.</p>
Cucumber, Melon, Squash	<p>Apply 20 lbs. per acre per application with a maximum yearly application of 120 lbs per acre.</p> <p>•Retreatment interval = 7 days.</p> <p>•Do not apply within 3 days of harvest.</p> <p>•Do not make more than 6 applications per year.</p>

Commodity	Use Rate
Pistachios (Non-bearing trees only)	Only for use on trees that will not bear fruit for one year from the date of application. Apply 40 lbs per acre per application with a maximum yearly application of 200 lbs per acre. •Retreatment interval = 7 days. •If weed or cover crop bloom is present, mow orchard or between rows prior to applying this product.
Potato	Apply 40 lbs per acre per application with a maximum yearly application of 120 lbs per acre. •Retreatment interval = 7 days. •Do not apply within 7 days of harvest. •Do not make more than 3 applications per year.
Sugar Beets	Apply 30 lbs per acre per application with a maximum yearly application of 60 lbs per acre. •Retreatment interval = 14 days. •Do not apply within 28 days of harvest (roots, forage). •Do not make more than 2 applications per year.
Tomato, Pepper, Eggplant	Apply 40 lbs per acre per application with a maximum yearly application of 160 lbs per acre. •Retreatment interval = 7 days. •Do not apply within 3 days of harvest. •Do not make more than 4 applications per year.
Pasture & grasses (grown for hay or seed)	Apply 30 lbs per acre per application with a maximum yearly application of 60 lbs per acre. •Retreatment interval = 14 days. •Do not apply within 7 days of harvest or grazing. •Do not make more than 2 application per year.

Commodity	Use Rate
Rangeland (Ground application only)	Apply 20 lbs per acre. • Do not make more than one application per year.
USDA Aphis Program for Mormon Cricket and Grasshoper Suppression	Apply 10 lbs per acre per application with a maximum yearly application rate of 20 lbs per acre. •Retreatment interval = 14 days •Do not make more than 2 applications per year. •Do not apply within 14 days of grazing •Use of a flaky cereal grain bait is prohibited.  Aerial application is allowed only through USDA Aphis and affiliated state grasshopper and Mormon Cricket suppression programs.

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

**PESTICIDE STORAGE:** Store in original container only and keep sealed. Store in a cool, dry and closed storage area. Keep container tightly closed when not in use. Reduce stacking height where local conditions, such as humidity or pallet overhang, can affect package strength. Use caution when moving, opening, closing or pouring.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**NONREFILLABLE CONTAINER:** Do not reuse or refill this container.

**CONTAINER DISPOSAL:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

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Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using the product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

**ALL STATEMENTS MADE HEREIN ARE SUBJECT TO APPLICABLE LAW, AND TO THE EXTENT THERE IS ANY INCONSISTENCY OR CONTENTION, APPLICABLE LAW SHALL GOVERN.**

The Directions for Use of the product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of many different factors including, without limitation, manner of use or application, weather, combination with other products, or crop conditions. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors

Seller warrants that this product conforms to the chemical description on the label.

**EXCEPT FOR THIS WARRANTY, THE PRODUCT IS FURNISHED "AS-IS," AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT; SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEYOND WHAT IS STATED ON THE LABEL. Buyer and User accept all risks arising from any use of this product, including without limitation, uses contrary to label instructions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.**

Neither Manufacturer nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE BUYER OR USER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER AND SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT, OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted, unless otherwise required by the law of the state of purchase, in accordance with the laws of the State of California, excluding its conflicts of laws rules, and may not be amended by any oral or written agreement.

Sevin is a registered trademark of Bayer CropScience.  
WILBUR-ELLIS logo and IDEAS TO GROWWITH are registered trademarks of WILBUR-ELLIS Company.

**In Case of Emergency,  
Call CHEMTREC: (800) 424-9300**

F-090309

**WILBUR-ELLIS COMPANY  
P.O. BOX 16458 – FRESNO CA 93755**

Batch Code \_\_\_\_\_